

**IN THE DRAWINGS:**

The attached annotated sheets show changes to Figures 3 and 10.

Replacement sheets of Figures 3 and 10 also are attached.

## **REMARKS**

In the Office Action, the drawings were objected to. The disclosure was objected to because of informalities. Claims 1-44 and 57 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 2-44 were rejected as depending, directly or indirectly, from a rejected claim. Claims 1, 2, 7, 8, 17, 21, 22, 27 and 57 were rejected under 35 U.S.C. 102(b) as being anticipated by Ferris (U.S. Pat. No. 1,288,861). Claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as applied to claim 1 above, and further in view of Porter (U.S. Pat. No. 1,934,089). Claims 4-5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as applied to claim 1 above, and further in view of Piper (U.S. Pat. No. 1,265,952). Claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as modified by Piper as applied to claim 5 above, and further in view of Labelle (U.S. Pat. No. 4,408,369). Claims 9 and 10 rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as applied to claim 1 above, and further in view of Frantz (U.S. Pat. No. 1,570,958). Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as applied to claim 1 above, and further in view of Ellison (U.S. Pat. No. 1,964,316). Claims 12-16, 18 and 19 rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as modified by Ellison. Claim 20 was rejected under 35 U.S.C. §103(a) as

being unpatentable over Ferris as applied to claim 1 above, and further in view of Ellison. Claims 23-25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as applied to claim 1 above, and further in view of Dodson et al. (U.S. Pat. No. 6,467,226). Claim 26 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as modified by Dodson et al. as applied to claim 23 above. Claim 28 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as modified by Dodson et al. as applied to claim 25 above. Claim 29 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as modified by Dodson et al. as applied to claim 28 above. Claim 30 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as modified by Dodson et al. as applied to claim 28 above and further in view of Johnsen (U.S. Pat. No. 4,836,494). Claim 31 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as modified by Dodson et al. as applied to claim 28 above and further in view of Johnsen and Plowman (U.S. Pat. No. 4,590,706). Claims 32 and 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as modified by Dodson et al., Johnsen and Plowman as applied to claim 31 above. Claim 34 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as modified by Dodson et al., Johnsen and Plowman as applied to claim 33 above. Claims 35 and 36 were rejected under 35 U.S.C. §103(a) as being unpatentable

over Ferris as modified by Dodson et al. and Johnsen as applied to claim 30 above. Claim 37 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as applied to claim 1 above, and further in view of Ellison. Claims 38 and 39 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as modified by Dodson et al. as applied to claim 25 above, and further in view of Ellison. Claim 40 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as modified by Dodson et al. and Ellison as applied to claim 38 above. Claim 41 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as applied to claim 1 above, and further in view of West (U.S. Pat. No. 5,295,527). Claim 42 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as modified by West, as applied to claim 41 above. Claims 43 and 44 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as modified by West, as applied to claim 41 above, and further in view of Lacoste et al. (U.S. Pat. No. 6,003,583).

In response to the objections to the drawings, the substantially vertical pivot axis referred to in claim 3 is shown clearly as reference 44a in Figure 1B. Figure 1B shows the mutually pivoted panels in the closed and open position whereby they pivot about the vertical pivot axis supplied by hinge point 44A. Such a hinge point is also shown in Figures 13-16 as the vertices of the panels in

their partially open position. Therefore, the drawings show every feature of the invention specified in the claims.

Independent amended claim 1 and new independent claims 57 and 58 are novel over the Ferris patent.

Claims 1, 57 and 58, include a locking pin fixed relative to the building to which the mutually pivoting panels move relative to. The locking pin is positioned so when the mutually pivoted panels are in a position where they are closing the opening then the locking pin engages the distal portion of the distal panel. This engagement locks the distal panel and prevents it from moving outwardly relevant to the plane of the opening.

Ferris has no such locking pin present to capture the distal panel and prevent it from moving outwardly. Therefore, Ferris does not contain all the features of independent claims 1, 57 and 58. Therefore, the independent claims 1, 57 and 58 and their dependent claims are distinguished over Ferris.

Claims 1, 57 and 58 include the feature of a locking pin. In particular, the locking pin is fixed relative to the building and the mutually pivoting panels move relative to the fixed locking pin.

As previously argued, the locking pin has the role of holding the distalmost portion of the distal panel, when the panels are closing the opening, to

prevent the distalmost panel from moving outwardly relative to the plane of the opening.

As the Examiner will understand, this locks the doors in place and removes the need for any form of added manual locking intervention by the user. The panels simply engage the locking pin through the natural motion of closing the opening.

Once the distalmost panel is located against the locking pin it is sandwiched between the sill upright and the locking pin and thus prevented from moving outwardly in the direction of the plane.

The Ellison patent contains an integer 30 referred to as a stop or lock pin. However, the stop or lock pin of Ellison differs in several ways to the lock pin of the present invention.

In the first way the stop of the lock pin of Ellison is mounted to the movable panels. It is not, as in the present invention, mounted so the panels move relative to it (for example mounted to the frame of the opening).

In a further way, the stop or lock pin of Ellison differs from the present invention because it does not prevent movement of the panels in the closed condition outward of the opening. Rather the stop or lock pin of Ellison prevents the panels from rotating beyond 90 degrees. The Ellison patent does not teach or

suggest panels that fold parallel or acute to the plane of the opening. Rather Ellison only considers the panels folding at 90 degrees to the opening when open.

There is no teaching or suggestion between Ferris and Ellison to include the feature of the locking pin of Ellison to the features of Ferris. Therefore, it would not have been obvious to one of ordinary skill in the art that the present invention includes the features of Ferris and the locking pin of Ellison.

In conclusion, the claims that depend on claims 1, 57 and 58 are also distinguished over Ferris and Ellison.

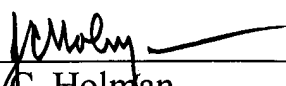
Based on the foregoing amendments and remarks, it is respectfully submitted that the present application should now be in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, she is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

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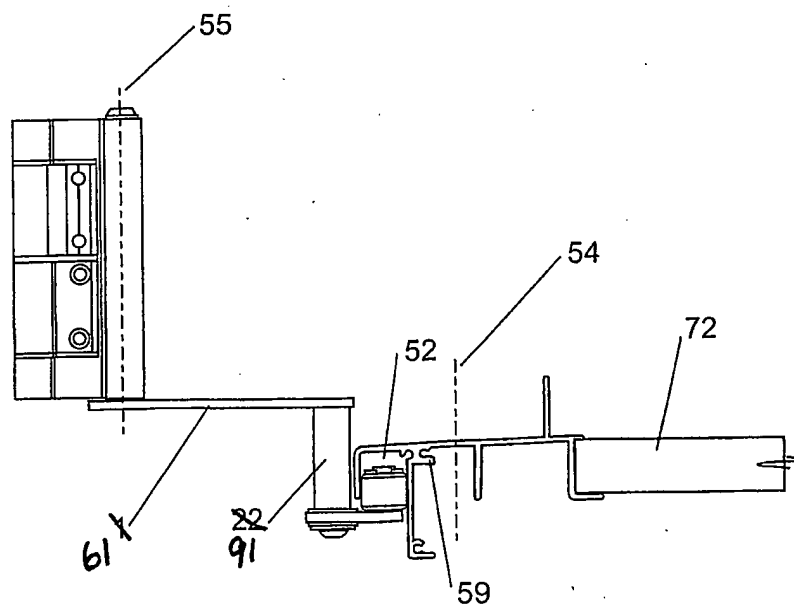
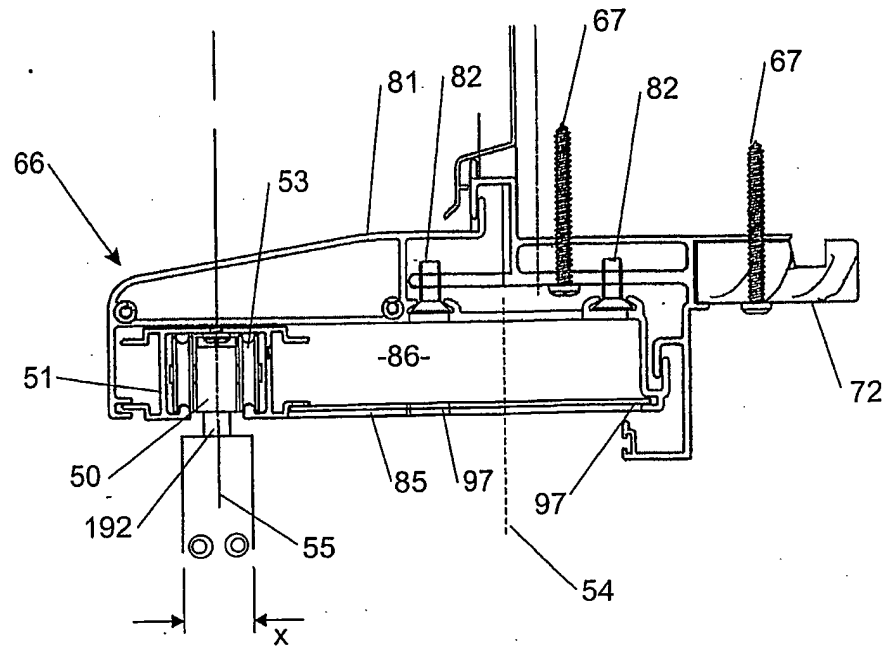


FIGURE 3

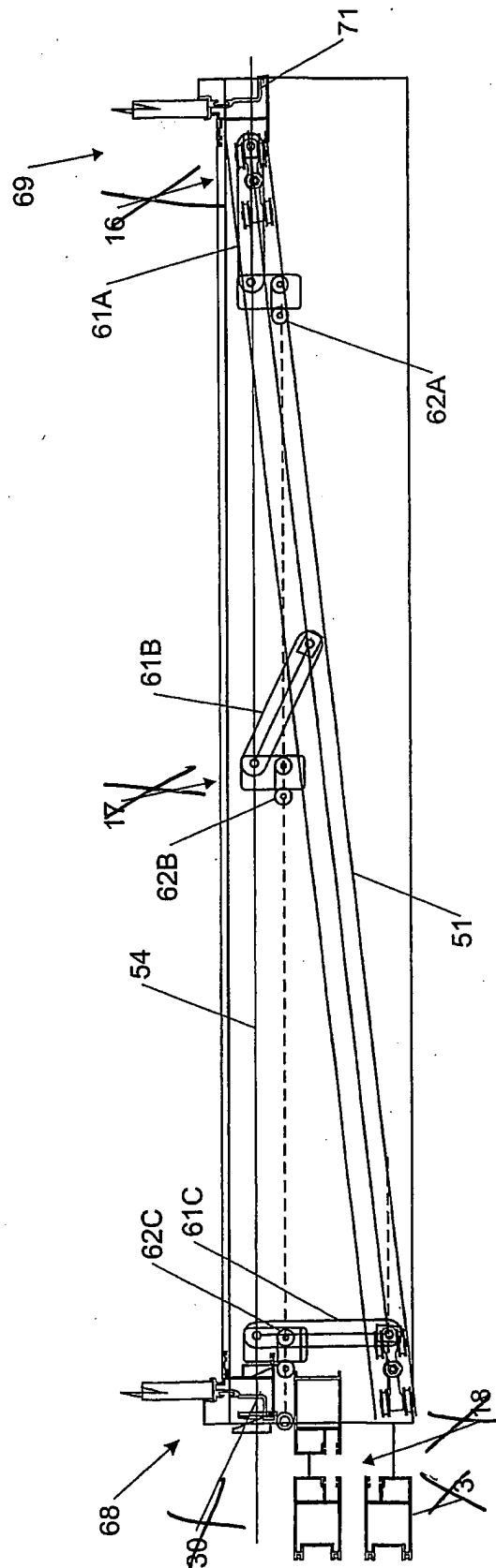


FIGURE 10